

**IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA**

)	
)	
)	
Plaintiff)	
)	
vs.)	Case Number
)	
Defendant)	
)	

QUALIFIED DOMESTIC RELATIONS ORDER

This Order is the Qualified Domestic Relations Order required by the Decree of Divorce and Qualified Domestic Relations Order entered herein. It is entered pursuant to 11 O.S. § 50-124 (b). In compliance with that provision the following is ordered and decreed:

1. This Order issues from proceedings commenced _____ (e.g. May 31, 2020). Prior to commencement of the proceedings the Defendant was the spouse of the Plaintiff, for a period of not less than thirty (30) continuous months. The Defendant, therefore qualified as an Alternate Payee as defined by 11 O.S. § 50-124 (b) (3).

2. The name of the Plan to which the Order is to apply is the Oklahoma Police Pension and Retirement System hereinafter referred to as the "System".

3. The name and address of the Plan Administrator of the Plan affected by this Order is:
Ms. Ginger Sigler
1001 N.W. 63rd Street, Suite 305
Oklahoma City, Oklahoma 73116-7335

4. The System Member whose benefits are affected by this Order and his/her current address is:
Name
Social Security Number (provided under separate cover)
Address

5. The Alternate Payee of such System benefits who is to receive payment thereof pursuant to this Order, and his/her current address and relationship to the System Member is:

Name
Social Security Number (provided under separate cover)
Date of Birth
Address
Relationship

6. The Member's service pension has previously been determined to be jointly acquired property subject to division as marital property and, therefore, the benefit to be paid to the Alternate Payee constitutes his/her equitable division of the marital asset(s).
7. As part of the equitable division of the jointly acquired property of the parties the Court awards to the Alternate Payee ___% (e.g. 50%) of the Member's pension benefits accrued during the joint industry of the marriage. Said pension benefits shall be paid by the System to the Alternate Payee. If the Member elects a refund of contributions, the Alternate Payee is entitled to same commensurate with the percentage awarded above.
8. The period of marriage to which this Order applies is from the date _____ (e.g. June 1, 2010) until _____ (e.g. May 31, 2020).
9. The type and form of benefits provided by the System from the above-named System Member which are to be transferred to and paid to the Alternate Payee are identical to the type and form of benefits available to the System Member under the System.
10. Payments to the Alternate Payee, pursuant to this Order, shall commence upon the Member's separation of employment or retirement and continue thereafter for the entire period of the Member's entitlement to receive benefits from the System and shall cease in any event upon the death of the Member or Alternate Payee.
11. This Order shall not require the payment of increased benefits (determined by actuarial value) which are more than that provided by the System for the said System Member.
12. This Order shall not require payment of benefits to an Alternate Payee which are required to be paid to another Alternate Payee under another Order which has been previously determined to be a Qualified Domestic Relations Order.
13. The Alternate Payee shall have the right to elect to receive benefit payments granted to him/her by this Order on or after the date on which the Member retires and begins to receive benefits. The Alternate Payee shall have the right to elect any form of benefits permitted by the System as of the date the Alternate Payee elects to begin receiving benefits. If the System pays cost of living increases at any time after the Member begins to receive benefits from the System, the Alternate Payee shall also receive a share of each increase, which shall be proportionate to the Alternate Payee's total benefit at the time the cost of living increases are paid.
14. While it is anticipated that the System will pay directly to the Alternate Payee the benefit awarded to him/her, the System Member is designated a constructive trustee to the extent he/she received any retirement benefits from the System that are due to the Alternate Payee

but paid to the System Member. The System Member is ordered to pay the benefit defined above directly to the Alternate Payee within five (5) days after receipt of said benefit.

15. All benefits payable by the System other than those payable to the Alternate Payee hereunder shall be payable to the Member in such manner and form as he/she may elect in his/her sole discretion, subject only to System requirements.
16. Each of the parties is directed and ordered to report any retirement payment received by him or her as their separate income on any applicable income tax return.
17. This Order shall not be subject to the provisions of the Employee Retirement Security Act of 1974 (ERISA), 29 U.S.C.A. Section 1001, et seq., as amended from time to time, or rules and regulations promulgated thereunder, and court cases interpreting said act.

IT IS SO ORDERED this ____ day of _____, 20____.

JUDGE OF THE DISTRICT COURT

APPROVED:

Plaintiff

Attorney for Plaintiff

Defendant

Attorney for Defendant

Please Note:

**Should both parties agree that the Alternate Payee is entitled to monies associated with the Member's current or potential participation in the Deferred Option Plan, including the Back Drop Provision, then specific language should be included to indicate this intent. The Alternate Payee will not be entitled to any such monies unless specifically awarded.*